

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SHAY HORSE, *et al.*,

Plaintiffs,

v.

DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil No. 1:17-cv-01216 (ABJ)

**DEFENDANT OFFICER JOHN DOE'S CONSENT MOTION
TO EXTEND THE TIME TO FILE A REPLY BRIEF**

Defendant Officer John Doe, by consent and through undersigned counsel, moves pursuant to Fed. R. Civ. P. 6(b) for a one-week extension to file a reply brief in support of his Motion to Dismiss, or, in the Alternative for Summary Judgment (ECF No. 55), thereby making the pleading due on or before January 31, 2019. Officer John Doe's memorandum of points and authorities in support of this motion and a proposed order are attached.

Date: January 22, 2019

Respectfully submitted,

/s/ Joseph A. Gonzalez

Joseph A. Gonzalez (D.C. Bar No. 995057)
SCHERTLER & ONORATO, LLP
901 New York Avenue, N.W.
Suite 500
Washington, D.C. 20001
Telephone: 202-628-4199

Counsel for Defendant John Doe

Rule 7(m) Certification

On January 22, 2019, the undersigned obtained the consent of Plaintiffs' counsel, Scott Michelman, to the relief requested herein. Counsel for the codefendants (OAG) also consents.

/s/ Joseph A. Gonzalez
Joseph A. Gonzalez

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SHAY HORSE, *et al.*,

Plaintiffs,

v.

DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil No. 1:17-cv-01216 (ABJ)

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
DEFENDANT OFFICER JOHN DOE'S CONSENT MOTION
TO EXTEND THE TIME TO FILE A REPLY BRIEF**

Defendant Officer John Doe, by consent and through undersigned counsel, moves pursuant to Fed. R. Civ. P. 6(b) for a one-week extension to file a reply brief in support of his Motion to Dismiss, or, in the Alternative for Summary Judgment (ECF No. 55), thereby making the pleading due on or before January 31, 2019.

On January 3, 2019 Officer John Doe filed a Motion to Dismiss, or, in the Alternative for Summary Judgment. Plaintiffs filed their Opposition on January 17, 2019 thereby making the Reply currently due on January 24, 2019. Plaintiffs' Opposition makes a number of complicated legal arguments and involves numerous unanticipated assertions of alleged fact, including the use of purported Fed. R. Evid. 404(b) evidence in a motion for summary judgment and three declarations. Due to the complexity of the Opposition and the press of filings in other cases, the undersigned requires additional time to respond to these arguments beyond the seven days allotted under the local rules. This extension will not prejudice Plaintiffs or the case schedule and, in fact, Plaintiffs consent. Accordingly, Officer John Doe has good cause for the extension requested.

Wherefore, Officer John Doe requests a one-week extension to file a reply brief in support of his Motion to Dismiss, or, in the Alternative for Summary Judgment, thereby making the Reply due on or before January 31, 2019.

Date: January 22, 2019

Respectfully submitted,

/s/ Joseph A. Gonzalez
Joseph A. Gonzalez (D.C. Bar No. 995057)
SCHERTLER & ONORATO, LLP
901 New York Avenue, N.W.
Suite 500
Washington, D.C. 20001
Telephone: 202-628-4199

Counsel for Defendant John Doe

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

SHAY HORSE, *et al.*,

Plaintiffs,

v.

DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil No. 1:17-cv-01216 (ABJ)

ORDER

Upon consideration of Defendant Officer John Doe's consent motion for an extension of time to file a reply brief in support of his Motion to Dismiss, or, in the Alternative for Summary Judgment, and the record herein, it is on this _____ day of _____, 2019,

ORDERED, that the Motion is GRANTED, and it is further,

ORDERED, that Defendant's Reply is due on or before January 31, 2019.

Amy Berman Jackson
United States District Judge